THE HON'BLE SRI JUSTICE J. CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE M. VENKATESWARA REDDY

Date: 28—09—2005

W.P. No. 8834 of 2005

Between:

Jakkula Veeraiah

…Petitioner.

A n d

The District Collector, Nalgonda District and others

…Respondents.

THE HON'BLE SRI JUSTICE J. CHELAMESWAR

AND

THE HON'BLE SRI JUSTICE M. VENKATESWARA REDDY

W.P. No. 8834 of 2005

O R D E R: (per Sri M. Venkateswar Reddy, J)

This is a taken up writ petition on the basis of petition dated 2.4.2005 sent by the petitioner, alleging that the officials of Nagarjuna Cooperative Marketing Society (N.D.C.M.S) Complex have sold 16 shops to the tenants of N.D.C.M.S., Huzurnagar, Nalgonda District for an amount of Rs.45.00 lakhs, on account of which substantial loss has been caused to the revenue of the Government. It is further alleged that each shop in the complex will fetch a value of Rs.5.00 lakhs to Rs.6.00 lakhs, if it is sold in open auction. The petitioner further requested to direct the concerned authority to sell the shops in open auction so that there will not be any loss of revenue to the Government.

The learned Government Pleader for Cooperation took notice of the matter on 20.4.2005.

On 6.6.2005, after hearing both sides, this Court directed the respondents to produce the relevant records for perusal of this Court. Accordingly the records were produced. This Court perused the records and on 14.6.2005 passed the following order:

> "We have perused the record. It appears that certain shops have been sold to the tenants after negotiations for a sum of Rs.45,00,000/-. An area of 1,675 square yards and a structure (godown) have not been sold as yet but is proposed to be sold. If this land is sold, it shall be sold by public auction only after giving wide publicity in the local news paper".

In the counter affidavit filed by the person-in-charge of the 3rd respondent – Marketing Society, it is submitted that pursuant to the directions of this Court dated 14.6.2005, the tender-cum-open auction notification was issued on 2.8.2005 by giving wide publicity in the press, fixing the date of auction as 18.8.2005; that pursuant to the

said notification, on 17.8.2005 the tender schedules were purchased by the following three persons:

1. Singirikonda Upendar s/o Satyanarayana r/o Huzurnagar.
2. S. Srinivas s/o Ram Murthy r/o Huzurnagar.
3. S. Satyanarayana s/o Jaggaiah r/o Miryalguda.

But, no tenders were received up to 1.00 p.m. on 18.8.205 even though three tender schedules were sold. The report of the District Cooperative Officer, Nalgonda was also filed along with the further counter affidavit of the 3rd respondent.

Inasmuch as nobody turned up to participate in the open auction in spite of all the attempts made by the respondents, we feel that no further purpose would be served by keeping this writ petition pending.

The writ petition is closed accordingly.

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J. Chelameswar, J.

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M. Venkateswara Reddy, J.

Date: 28—09—2005.

MVB.